

MANSFIELD TOWNSHIP COMMITTEE MEETING

November 24, 2014

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Star-Gazette and the Express Times of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

Roll Call: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Salute to the flag was done by all.

Public Portion

Mayor Tomaszewski opened the floor for public portion; seeing as there were no comments from the public the public portion was closed.

APPROVAL OF THE MINUTES:

Mr. Clancy made a motion to approve the passage of the minutes from the regular meeting held on November 12, 2014, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

Mr. Watters made a motion to approve the passage of the Executive Session minutes from 2008, which was seconded by Mr. Misertino.

Ayes: Mr. Watters

Nays: None

Absent: None

Abstain: Mrs. Kocher, Mayor Tomaszewski, Mr. Clancy, Mr. Misertino

Mr. Watters made a motion to approve the passage of the Executive Session minutes from 2009, which was seconded by Mayor Tomaszewski.

Ayes: Mr. Watters, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: Mrs. Kocher, Mr. Clancy, Mr. Misertino

Mr. Watters made a motion to approve the passage of the Executive Session minutes from 2010, which was seconded by Mayor Tomaszewski.

Ayes: Mr. Watters, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: Mrs. Kocher, Mr. Clancy, Mr. Misertino

Mr. Watters made a motion to approve the passage of the Executive Session minutes from 2011, which was seconded by Mr. Clancy.

Ayes: Mr. Watters, Mayor Tomaszewski, Mr. Clancy

Nays: None

Absent: None

Abstain: Mrs. Kocher, Mr. Misertino

Mr. Watters made a motion to approve the passage of the Executive Session minutes from 2012, which was seconded by Mr. Clancy.

Ayes: Mr. Watters, Mayor Tomaszewski, Mr. Clancy

Nays: None

Absent: None

Abstain: Mrs. Kocher, Mr. Misertino

Mr. Watters made a motion to approve the passage of the Executive Session minutes from 2013, which was seconded by Mr. Clancy.

Ayes: Mr. Watters, Mayor Tomaszewski, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: None

Abstain: Mr. Misertino

Mr. Watters made a motion to approve the passage of the Executive Session minutes from July 10 & September 10, 2014, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Mr. Watters, Mayor Tomaszewski, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: None

Abstain: None

BILL LIST:

Mr. Watters made a motion to approve the bill list with addendum, which was seconded by Mayor Tomaszewski.

Ayes: Mr. Misertino, Mr. Watters, Mayor Tomaszewski, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: None

Abstain: None

CLERKS REPORT

Ms. Hrebenak had nothing to report.

ENGINEERS REPORT:

Mr. DiSessa stated that the work on Janes Chapel is completed and we should be below the budget.

EMPLOYEE REPORTS:

Mrs. Fascenelli stated that the Rain barrel workshop was held at the Mansfield Township Fire Company.

Mrs. Fascenelli stated that the Green Team would like to bring back the Township wide yard sale.

RESOLUTION:

**RESOLUTION # 2014-132
LIEN REDEMPTION**

TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, the Tax Collector of the Township of Mansfield has advised the Committee that the following property has been redeemed and the money due thereon paid to the Township of Mansfield Tax Collector; the certificate has been previously redeemed and this amount reflects only the reimbursement of the recording fee to the lienholder:

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 24th November, 2014 that payment is to be made to the certificate holder as noted:

FWDSL & Associates LP
5 Cold Hill Rd S., Ste 11
Mendham, NJ 07945

Block 601.03, Lot 48
Certificate # 2014-02
\$ 40.00

Mr. Clancy made a motion to approve the passage of Resolution 2014-132, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mayor Tomaszewski, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: None

Abstain: None

**RESOLUTION NO. 2014-133
MANSFIELD TOWNSHIP DEPARTMENT OF PUBLIC WORKS
TOWNSHIP OF MANSFIELD
WARREN COUNTY, NEW JERSEY
2014 SALARIES**

BE IT RESOLVED, by the Mayor and Township Committee of the Township of Mansfield, Warren County, New Jersey, that the salaries for the Department of Public Works for the period beginning January 1, 2014 through December 31, 2014 shall be as follows:

Keith Beam	\$ 51,887.94
John Tate	\$ 51,887.94
Harry Appleby, Jr.	\$ 51,887.94
Edward Watters	\$ 51,887.94

BE IT FURTHER RESOLVED, that salaries are to be paid in accordance with Salary Ordinance No. 2011-16,

which was adopted by the Mansfield Township Committee on July 13, 2011.

Mr. Misertino made a motion to approve the passage of Resolution 2014-133, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mayor Tomaszewski, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: None

Abstain: None

Resolution 2014-134

RESOLUTION TO CANCEL GRANT FUND RECEIVABLES AND RESERVES OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY

WHEREAS, there exists receivables on the balance sheet of the Grant Fund; and

WHEREAS, there exists reserves on the balance sheet of the Grant Fund; and

WHEREAS, the receivables have been investigated and it has been determined that these funds were never received; and

WHEREAS, the funds creating these reserves have been investigated and it has been determined that these reserves are no longer needed and should be cancelled;

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield, that the following receivables and reserve be and the same are hereby canceled

Receivables:

NJDOT Bikeway	\$ 14,209.60
NJDOT Guide Rail	\$ 2,856.00
SHARE Police Feasibility	\$ 19,140.00

Reserves:

NJDOT Guide Rail	\$ 3,740.00
SHARE Police Feasibility	\$ 19,140.00
SHARE Local Match	\$ 6,380.00

Mr. Watters made a motion to approve the passage of Resolution 2014-134, which was seconded by Mayor Tomaszewski.

Ayes: Mr. Misertino, Mr. Watters, Mayor Tomaszewski, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: None

Abstain: None

RESOLUTION # 2014-135 LIEN REDEMPTION

TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, the Tax Collector of the Township of Mansfield has advised the Committee that the following property has been redeemed and the money due thereon paid to the Township of Mansfield Tax Collector;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 24th day of November 2014 that payment is to be made to the certificate holder as noted:

US Bank/cust for BV001 Trust
US Bank TLSC
50 S. 16th Street, Suite 2050
Philadelphia, PA. 19102

Block 1001.01 Lot 9.02
Certificate # 2014-08
\$ 10,394.35

Mr. Clancy made a motion to approve the passage of Resolution 2014-135, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mayor Tomaszewski, Mr. Clancy, Mrs. Kocher
Nays: None
Absent: None
Abstain: None

RESOLUTION # 2014-136
Return of Premium

TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, the Tax Collector of the Township of Mansfield has advised the Committee that the following property has been redeemed within five (5) years of the tax sale, and a premium of \$19,500.00 was paid at the time of the sale;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 24th day of November 2014 that the \$19,500.00 premium is to be returned to the certificate holder as noted:

CERTIFICATE HOLDER	BLOCK/LOT	CERT #
US Bank/Cust for BV001 Trust US Bank TLSC 50 S. 16 th Street, Suite 2050 Philadelphia, PA. 19102	Block 1001.01 Lot 9.02	2014-08

Mr. Misertino made a motion to approve the passage of Resolution 2014-136, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Mr. Watters, Mayor Tomaszewski, Mr. Clancy, Mrs. Kocher
Nays: None

Absent: None
Abstain: None

RESOLUTION 2014-137

AUTHORIZING MEMBERSHIP IN A MUTUAL AID AND ASSISTANCE AGREEMENT WITH PARTICIPATING UNITS

WHEREAS, mutual aid and assistance agreements between municipalities, counties, law enforcement agencies, police, fire departments, EMS organizations and Fire Districts are permitted pursuant to N.J.S.A. 40A: 14-26 and 40A: 14-156.1; and

WHEREAS, the President in Homeland Security Directive (HSPD- 5), directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach to Federal, State, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, "The New Jersey Civilian Defense and Disaster Control Act" App. N.J.S.A.9-33 et. seq, provides for the health, safety and welfare of the people of the State of New Jersey during any emergency by centralizing control of all civilian activities having to do with such emergency giving the Governor control over the resources of each and every political subdivision to cope with any condition that shall arise out of such emergency, and

WHEREAS, The Director of the Division of Fire Safety in the Department of Community Affairs promulgated rules in accordance with the "Fire Service Resource Emergency Deployment Act," N.J.A.C. 52:14E-11 et. seq., commonly referred to as the "Fire Service Resource Emergency Deployment Regulations" N.J.A.C. 5:75A et. seq., and

WHEREAS, it is deemed to be in the best interests of the residents of this municipality to enter into a mutual aid and assistance agreement with the County of Warren and other municipalities including, but not limited to, municipal police, fire departments and EMS organizations to provide additional protection against loss, damage or destruction by fire, catastrophe, civil unrest, major emergency or other extraordinary devastation damage or destruction to person and property, in those situations when outside aid and assistance is needed.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee
of the Township of Mansfield, County of Warren and State of New Jersey as follows:

- A. That the Mayor _____ is hereby authorized and directed to enter into the Warren County Mutual Aid and Assistance Agreement Between Participating Units, a copy of which is attached hereto and made part hereof, on the terms and conditions contained herein.
- B. That the Mayor _____ and Deputy Mayor _____
of the Township Committee _____ are hereby authorized and directed to execute said Mutual Aid and Assistance Agreement on behalf of the Township of Mansfield.
- C. That the Registered Municipal Clerk _____ is hereby authorized and directed to forthwith file a certified copy of this Resolution and an executed copy of the Agreement with the Warren County Department of Public Safety, Office of Emergency Management. Said Office shall serve as the central repository and shall maintain a master listing of all Participating Units to the Mutual Aid and Assistance Agreement.

Mr. Watters made a motion to approve the passage of Resolution 2014-137, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mayor Tomaszewski, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: None

Abstain: None

EXECUTIVE SESSION: PERSONNEL, CONTRACTUAL

Mayor Tomaszewski made a motion to enter into Executive Session at 8:00, which was seconded by Mr. Watters.

All members present.

Return from Executive 8:24

Mr. Clancy made a motion to approve the IT Contract with Washington Township Morris County for the year of 2015, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mayor Tomaszewski, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: None

Abstain: None

ORDINANCE:

First Reading

2014-19

BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 2014-06 FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD, NEW JERSEY ON APRIL 23, 2014

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD, IN THE COUNTY OF WARREN, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

The Bond Ordinance of the Township Committee of the Township of Mansfield, in the County of Warren, New Jersey (the "Township") entitled "Bond Ordinance Restating Bond Ordinance 2013-14 Providing An Appropriation Of \$432,000 For Various Improvements To Diamond Hills Roads In And By The Township Of Mansfield, In The County Of Warren, New Jersey And Authorizing The Issuance Of \$196,650 Bonds Or Notes Of The Township For Financing Part Of The Appropriation," finally adopted on April 23, 2014 (the "Ordinance") is hereby incorporated by reference in its entirety.

(a) The Ordinance is hereby amended by deleting the reference of "\$432,000" for the appropriation and estimated costs and substituting in lieu thereof "\$440,630.85".

(b) SECTION ONE - Section 1, third sentence of the Ordinance is hereby amended in its entirety as follows:

"Such sum includes the sum of (a) \$125,000 expected to be received as a grant from the New Jersey Department of Transportation; (b) \$100,000 expected to be received from the Hackettstown Municipal Utilities Authority; (c) \$8,630.85 to be received from the Reserve for Road Improvements in the General Capital Fund and (d) \$10,350 as the down

payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law")."

The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolutions in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

This Section 4 constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the Improvements prior to the date that the Township incurs debt obligations under this Bond Ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$196,650.

All other provisions of the Ordinance shall remain unchanged.

This amendatory bond ordinance shall take effect twenty days after the first publication thereof after final adoption as provided by Local Bond Law.

Mr. Watters made a motion to approve the introduction of Ordinance 2014-19 and requested that the public hearing be advertised to be held on December 23, 2014, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Watters, Mayor Tomaszewski, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: None

Abstain: None

COMMITTEE PERSON COMMENTS:

Mr. Clancy made a motion to go out to RFP for all professional services, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Mr. Watters, Mayor Tomaszewski, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: None

Abstain: None

Mr. Misertino made a motion to advertise for the position of Part Time Deputy Clerk, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Mr. Watters, Mayor Tomaszewski, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: None

Abstain: None

Mr. Misertino made a motion to close November 26, 2014 and Dec 24, 2014 at 2 pm, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Mr. Watters, Mayor Tomaszewski, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: None

Abstain: None

Mr. Misertino made a motion to close on December 31, 2014 at 2pm, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Mr. Watters, Mayor Tomaszewski, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: None

Abstain: None

Mr. Misertino asked Mrs. Kocher if there is something that should have been done better on the Teamsters Contract.

Mrs. Kocher stated that in her past experience the Union has never stepped in and decided to ratify a contract.

Mayor Tomaszewski made a motion to adjourn 8:36pm.